

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

VOLKSWAGEN GROUP OF)	
AMERICA, INC.)	
)	
Plaintiff,)	
v.)	
)	Civil Action No. 1:19-cv-01574 (AJT/MSN)
THE UNINCORPORATED)	
ASSOCIATIONS IDENTIFIED IN)	
SCHEDULE A,)	
)	
Defendants.)	
_____)	

TEMPORARY RESTRAINING ORDER

On December 20, 2019, the Court held a hearing on Plaintiff's *Ex Parte* Motion for Temporary Asset Restraint and Expedited Discovery [Doc. 10] ("the Motion"). Upon consideration of the Motion, the Verified Complaint [Doc. 1], the memorandum and exhibits in support of the Motion, and the arguments of counsel, and for the reasons stated in open court at the December 20, 2019 hearing, the Court finds and concludes that, pursuant to Federal Rule of Civil Procedure 65(b)(1), a sufficient showing has been made to issue a temporary restraining order without notice to the Defendants since, if notice is given to the Defendants, it is likely that the Defendants will evade the reach of this Court, which will detrimentally impact Plaintiff's ability to seek redress.

Further, the Court finds and concludes that a sufficient showing has been made to restrain temporarily the transfer of any assets from the Defendants' PayPal accounts associated with the sale of counterfeit goods bearing the Plaintiff's federally-registered trademarks, including an adequate showing as to the likelihood of success on Plaintiff's claims that Defendants have used Plaintiff's trademarks without authorization, which will continue to cause confusion, mistake,

and/or deception among consumers and the public as to Plaintiff's products and dilute the distinctive quality of Plaintiff's trademarks; the threat of irreparable harm to the Plaintiff as a result of Defendants' alleged continued infringement and the risk that Defendants will transfer all assets from their accounts in the absence of a temporary freezing of their accounts (potential harms which outweigh any demonstrated harm Defendants will suffer from the temporary freezing of assets in their accounts); the balance of equities in Plaintiff's favor; and the public interest that strongly supports granting the temporary freeze of assets pending a preliminary injunction hearing.

The Court further finds and concludes that expedited third-party discovery to ascertain Defendants' identities and the location and value of Defendants' financial accounts related to the sale of the counterfeit goods named in the Verified Complaint is necessary. Accordingly, a temporary restraining order is appropriate pending the Court's consideration of Plaintiff's request for a preliminary injunction. For these reasons, it is hereby

ORDERED that Plaintiff's *Ex Parte* Motion for Temporary Asset Restraint and Expedited Discovery [Doc. 10] be, and the same hereby is, **GRANTED**; and it is further

ORDERED that PayPal shall immediately freeze all PayPal accounts associated with Defendants identified in Schedule A to the Verified Complaint, which is hereby unsealed and attached hereto, and restrain and enjoin the transfer of any monies held in such accounts until further ordered by this Court; and it is further

ORDERED that Plaintiff may immediately serve limited discovery on PayPal sufficient to discover the amounts of any monies held by PayPal in association with Defendants identified in Schedule A to the Verified Complaint as well as any name, email address, address, telephone number, and bank account associated with such PayPal account(s); and it is further


ORDERED that Plaintiff may immediately serve limited discovery on eBay sufficient to learn the identities of Defendants identified in Schedule A to the Verified Complaint as well as any name, email address, address, telephone number, PayPal account, or other payment account(s) associated with such eBay account(s); and it is further

ORDERED that any information disclosed to Plaintiff in response to discovery issued pursuant to this Order may be used solely for the purpose of protecting Plaintiff's rights as set forth in the Verified Complaint; and it is further

ORDERED that a preliminary injunction hearing in this matter shall be scheduled for **Thursday, January 2, 2020 at 2:00 p.m.**; and it is further

ORDERED that pursuant to Federal Rule of Civil Procedure 65(c) Plaintiff shall post cash or other security in the amount of **\$1,000.00**.

The Clerk is directed to forward a copy of this Order to all counsel of record.



s/Anthony J. Trenga
United States District Judge

Alexandria, Virginia
December 20, 2019 2:50 p.m.

Schedule A

No.	Seller ID/Defendant Store Name	Defendant Store Location
1	2018pineapple	eBay
2	5457426	eBay
3	abbeelee	eBay
4	allway-auto-us	eBay
5	aurimasmzk	eBay
6	autobd22017	eBay
7	autocreacle	eBay
8	autoscandiy	eBay
9	balanceboard_uk	eBay
10	beadsmarket	eBay
11	bestobal	eBay
12	bonbonday	eBay
13	caiyanyantiger	eBay
14	cartoolfty	eBay
15	chengcheng788	eBay
16	cntopstore	eBay
17	craftdiyonline	eBay
18	cute_uu2010	eBay
19	dbs-store7	eBay
20	dengtal-online	eBay

No.	Seller ID/Defendant Store Name	Defendant Store Location
21	develpower2018	eBay
22	dr.dent1	eBay
23	dreamer-store709	eBay
24	dream-usa	eBay
25	dsgreatshop	eBay
26	easy-2buyy1	eBay
27	ebuytrade	eBay
28	ec-sells	eBay
29	ecudiagnose	eBay
30	edent0810	eBay
31	ediy_hu	eBay
32	fairy-shop-love	eBay
33	feidong256	eBay
34	fomall	eBay
35	fusq2293	eBay
36	gocardiag	eBay
37	goldingbuy	eBay
38	goodserviceli	eBay
39	hailong2019	eBay
40	hkseller2018	eBay
41	hkseller2019	eBay
42	itobddiag	eBay
43	ivscorpil	eBay
44	je-aime-perles	eBay
45	led_plaza_2016	eBay
46	ledlightcarparts	eBay
47	lind_chen1	eBay
48	loveobd	eBay
49	maktrust2016	eBay
50	mingtge	eBay
51	monokingtu_1	eBay
52	newyoutube	eBay
53	niu junjun98	eBay
54	promall	eBay
55	ronvias	eBay
56	seniors_203	eBay
57	sincereobd2	eBay
58	sinosells699	eBay

No.	Seller ID/Defendant Store Name	Defendant Store Location
59	smartgo-gps-wholesale	eBay
60	strength_simone	eBay
61	t-mall-shop	eBay
62	tmallshop2018	eBay
63	ucartool2015	eBay
64	vapebylin	eBay
65	vehiclegenius	eBay
66	xiaoxiaowe17	eBay
67	xingobd2	eBay
68	xsgcarautopart	eBay
69	yf_home	eBay
70	yfmotor	eBay
71	yiou-2017	eBay
72	ywssg515	eBay
73	zcdeal2015	eBay
74	zeus_tech	eBay
75	zivma_92	eBay
76	zykerstore	eBay
77	hksinc	eBay
78	xrdcnc-260	eBay
79	july6292012	eBay
80	ecartool2015	eBay
81	besttool2019	eBay
82	sd-cts-store	eBay
83	wxystore	eBay